

# Notice of Allowability

Application No.

10/051,249

Examiner

Michael J. Simitoski

Applicant(s)

IMMONEN ET AL.

Art Unit

2134

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the after-final amendment of 5/24/2006.
2. ☒ The allowed claim(s) is/are 1-58.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*Jacques H. Louis-Jacques*  
JACQUES H. LOUIS-JACQUES  
PRIMARY EXAMINER

**DETAILED ACTION**

1. The response of 5/24/2006 was received, entered and considered.
2. As per applicant response (p. 26), the amendments to the claims do not raise new issues and are supplied to correct minor changes in wording. As a result of this amendment, the rejections under 35 U.S.C. §112 are withdrawn.
3. Claims 1-58 are allowed.
4. An examiner's amendment begins on p. 3 of this paper.
5. The examiner's reasons for allowance being on p. 4 of this paper.

***EXAMINER'S AMENDMENT***

6. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John Hoel (202-857-7887) on 6/15/06.

The application has been amended as follows:

IN CLAIM 27, LINE 15, replace "computer readable" with "computer-readable medium".

*Allowable Subject Matter*

7. Claims 1-58 are allowed.

8. The following is an examiner's statement of reasons for allowance:

a. Regarding claims 1-30, 33-34, 44-46, 49-50, **U.S. Patent Application**

**Publication to Iino** discloses a mobile equipment/ticket storage device including a first storage device/storage unit (Fig. 7, #28), a security element/ticket storage device that includes a second storage device (Fig. 7, #28), at least one third-party device/ticket issuing device (Fig. 1) and a processor/ticket assignment controller (Fig. 7, #21) in communication with said first storage device/storage unit, said second storage device/storage unit and said third-party device/ticket checking device (Figs. 1 & 7) configured to authenticate the security element/ticket storage device (§12, 324 & Fig. 14), create and initiate at least one counter (§103-104, §154, §282 & §302-304) stored in said second storage device (Fig. 7, #28) in said secure element/ticket storage device (§81, §103-110), receive at least one electronic ticket from said third-party device/ticket issuing device and storing said at least one electronic ticket in the first storage device/storage unit (Fig. 12) and redeem said at least one electronic ticket stored in said first storage device/storage unit with said at least one third-party device/ticket checking device (Fig. 18 & §80). **U.S. Patent 6,018,717 to Lee et al.** discloses a transaction identifier such as a counter for each transaction (col. 6, lines 1-6) stored on a security card and incrementing an internal counter (col. 8, lines 38-41, col. 9, lines 54-64 & Table 1). The card also stores public key generated certificates (col. 10, lines 42-43). **U.S. Patents 5,473,690 to Grimonprez et al.** (col. 8, lines 1-15) and **5,550,919 to Kowalski** (abstract)

disclose using a counter in a smart card to count the number of authorization attempts.

**U.S. Patent 6,952,775 to Miura** discloses a transaction counter counting the number of successful authentications (Fig. 7). **U.S. Patent 6,711,685 to Schaal et al.** discloses storing pieces of information on a medium and employing a counter that counts the number of uses of the information (abstract). However, the prior art relied upon fails to teach or suggest nor provides motivation for sending a request from said mobile equipment to create a counter in the security element and creating a counter in said security element by giving a unique counter ID and initializing a value in the counter.

b. Regarding claims 31 & 47, the prior art relied upon fails to teach or suggest sending from the mobile equipment to the third party device a newly created counter ID received from the security element, in combination with the other elements of the claim.

c. Regarding claim 32, the prior art relied upon fails to teach or suggest the third party creating at least one ticket by forming a signature on authenticator data consisting of the received counter ID, said public key of the third party, a number representing the number of allowed uses for the ticket and additional information, in combination with the other elements of the claim.

d. Regarding claims 35-42, the prior art relied upon fails to teach or suggest a counter having a message authentication key, where the security element generates an authorization token being a message authentication code computer by using the message authentication key stored in the counter, in combination with the other elements of the claim.

- e. Regarding claim 43, the prior art relied upon fails to teach or suggest creating a counter by sending a request from said equipment to create a counter in the security element and creating a counter in said security element by giving a unique counter ID and initializing a value in the counter.
  - f. Regarding claim 48, the prior art relied upon fails to teach or suggest the third party creating at least one ticket by forming a signature on authenticator data consisting of the received counter ID, said public key of the third party, a number representing the number of allowed uses for the ticket and additional information, in combination with the other elements of the claim.
  - g. Regarding claims 51-58, the prior art relied upon fails to teach or suggest the security element generating an authorization token being a signature on authenticator data comprising the said counter ID, current value of the counter, and the public key of the security element, in combination with the other elements of the claim.
9. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

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10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. "General-purpose Digital Ticket Framework" by Fujimura et al. is cited for teaching general background information on electronic tickets.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Simitoski whose telephone number is (571) 272-3841. The examiner can normally be reached on Monday - Thursday, 6:45 a.m. - 4:15 p.m..

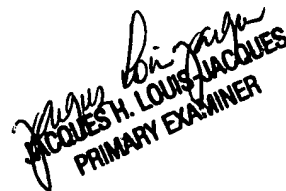
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jacques Louis-Jacques can be reached on (571) 272-6962. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MJS



June 9, 2006



JACQUES H. LOUIS-JACQUES  
PRIMARY EXAMINER